

## CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Bob Luong

(b) County of Residence of First Listed Plaintiff San Jose, California  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Gomerman, Bourn &amp; Associates (415) 545-8608

## DEFENDANTS

Super Micro Computer, Inc. AND Charles Liang

County of Residence of First Listed Defendant San Jose, California  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff  3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant  4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	625 Drug Related Seizure of Property 21 USC § 881	375 False Claims Act
120 Marine	310 Airplane	365 Personal Injury – Product Liability	422 Appeal 28 USC § 158	376 Qui Tam (31 USC § 3729(a))
130 Miller Act	315 Airplane Product Liability	367 Health Care/ Pharmaceutical Personal Injury Product Liability	423 Withdrawal 28 USC § 157	400 State Reapportionment
140 Negotiable Instrument	320 Assault, Libel & Slander	330 Federal Employers' Liability		410 Antitrust
150 Recovery of Overpayment Of Veteran's Benefits	340 Marine	368 Asbestos Personal Injury Product Liability		430 Banks and Banking
151 Medicare Act	345 Marine Product Liability			450 Commerce
152 Recovery of Defaulted Student Loans (Excludes Veterans)	350 Motor Vehicle	<b>PERSONAL PROPERTY</b>	710 Fair Labor Standards Act	460 Deportation
153 Recovery of Overpayment of Veteran's Benefits	355 Motor Vehicle Product Liability	370 Other Fraud	820 Copyrights	470 Racketeer Influenced & Corrupt Organizations
160 Stockholders' Suits	360 Other Personal Injury	371 Truth in Lending	720 Labor/Management Relations	480 Consumer Credit
190 Other Contract	362 Personal Injury –Medical Malpractice	380 Other Personal Property Damage	740 Railway Labor Act	485 Telephone Consumer Protection Act
195 Contract Product Liability		385 Property Damage Product Liability	751 Family and Medical Leave Act	490 Cable/Sat TV
196 Franchise			790 Other Labor Litigation	850 Securities/Commodities/ Exchange
REAL PROPERTY	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>	<b>EMPLOYMENT</b>	861 HIA (1395ff)
210 Land Condemnation	440 Other Civil Rights	<b>HABEAS CORPUS</b>	791 Employee Retirement Income Security Act	862 Black Lung (923)
220 Foreclosure	441 Voting	463 Alien Detainee	462 Naturalization Application	863 DIWC/DIWW (405(g))
230 Rent Lease & Ejectment	<input checked="" type="checkbox"/> 442 Employment	510 Motions to Vacate Sentence	465 Other Immigration Actions	864 SSID Title XVI
240 Torts to Land	443 Housing/ Accommodations	530 General		865 RSI (405(g))
245 Tort Product Liability	445 Amer. w/Disabilities – Employment	535 Death Penalty		<b>FEDERAL TAX SUITS</b>
290 All Other Real Property	446 Amer. w/Disabilities –Other	<b>OTHER</b>		870 Taxes (U.S. Plaintiff or Defendant)
	448 Education	540 Mandamus & Other		871 IRS – Third Party 26 USC § 7609
		550 Civil Rights		
		555 Prison Condition		
		560 Civil Detainee – Conditions of Confinement		

## V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding  2 Removed from State Court  3 Remanded from Appellate Court  4 Reinstated or Reopened  5 Transferred from Another District (specify)  6 Multidistrict Litigation – Transfer  8 Multidistrict Litigation – Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

18 U.S.C. § 1514A(b)(1)(B)

Brief description of cause:

Defendants retaliated against and ultimately fired Plaintiff because he engaged in protected activity

## VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, Fed. R. Civ. P.

## DEMAND \$

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No

## VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE

DOCKET NUMBER

## IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

 SAN FRANCISCO/OAKLAND  SAN JOSE  EUREKA-MCKINLEYVILLE

DATE 4/24/2024

SIGNATURE OF ATTORNEY OF RECORD

